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RUEHGV/USMISSION GENEVA 0606
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RUEPADJ/CJTF-HOA J2X CAMP LEMONIER DJ
RUEKDIA/DIA WASHDC
RUEAIIA/CIA WASHDC
RHEHNSC/NSC WASHDC
RUEKJCS/SECDEF WASHDC

C O N F I D E N T I A L ASMARA 000445

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LONDON FOR AFRICA WATCHERS, PARIS FOR AFRICA WATCHERS

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TAGS: PHUM PGOV PINR SOCI ER

SUBJECT: JAILS IN ASMARA: A RECENT ACCOUNT

REF: ASMARA 421

Classified By: AMB. Scott H. DeLisi for reasons 1.4 (b) and (d).

¶11. (C) Summary: Recent experiences of individuals detained in an Asmara police station shed new light on both the conditions and the operations of jails at police stations. The benign neglect of the jail guards prove a stark contrast to the horrific accommodations described by individuals incarcerated in the underground cells and shipping containers at prisons such as Wi'a and Adi Abeto. The cells and conditions of the police stations, while by no means comfortable, are less dangerous to the prisoners and provide at least a minimum of health and safety to those held for short periods of time. Access to prisoners by family, friends or legal representatives is nearly impossible, and the Government of Eritrea (GSE) prevents Embassy consular officials from visiting detained Americans. The GSE continues to use arrest and detention as a means to intimidate its citizens and inculcate a culture of submission to authority. End Summary.

RECENT DETAINEES DESCRIBE JAIL AND CONDITIONS

¶12. (C) Recent detainees recounted to Emboff observations from their four day detention in Police Station Number Five. (Reftel) Detainees described cell conditions as very crowded, with an estimated five meter by four meter cell holding as many as 30 prisoners. One detainee explained the prisoners could all sit against the cell walls simultaneously, but they found it difficult to lie down to sleep at the same time. Guards allowed the older prisoners, particularly the men, more privileges than others and treated them with a certain amount of civility. The guards permitted the older prisoners to spend more time outdoors and placed fewer prisoners in their cell, giving them more space in the small cell. The jail did not provide blankets or pillows for sleeping and the lights in the cell were left on throughout the night.

¶13. (U) The detainees reported that the prisoners organized themselves within the jail in the absence of direction from prison officials. One person in each cell was selected as the leader and was responsible for working with guards on prisoner bathroom breaks and exercise activities. In addition, the prisoners pooled available food, water, and

other resources such as clothes and blankets together for communal distribution. Violence among prisoners is very rare and dealt with harshly by the guards. Prisoners are fed a subsistence diet by the facility consisting mostly of watery lentils, but friends and relatives are allowed to bring food, water, and other items at 11:30 AM and 5:00 PM daily.

14. (C) The detainees noted some prisoners had cell phones that were smuggled into the jail and used to communicate with relatives. Prisoners regularly listened to the Tigrinya and Amharic language Voice of America (VOA) programming on smuggled-in short wave radios. The longer term prisoners told the detainees that the VOA programming was "their lifeline" and was an important part of each day.

THE OTHER PRISONERS

15. (U) In describing the other prisoners with them in the jail, the detainees observed the prisoners they met seemed to be well educated and from the upper echelons of Eritrean society. Merchants and traders appeared to be overly represented, with some explaining the GSE had detained them multiple times for violating finance law. (Note: With the GSE's strict control over hard currency most likely these businessmen were detained because of access to and use of hard currency. End note.) According to the detainees, one individual recently arrested was extremely distraught as with the passing of each day she faced a greater likelihood of unemployment. While she was able to pass a message to her employer, a GSE Ministry, claiming that she was ill, she feared she would not be able to maintain this for longer than a week. She feared that even though she might eventually be released with no criminal record, it would be too late, she would be unemployed and unable to support her family.

POLITICAL OR CRIMINAL: INFORMAL CLASSIFICATION OF PRISONERS

16. (U) According to an Eritrean with experience in local law enforcement, prisoners held in police stations are identified as either criminal or political and are usually housed together. Those held for criminal reasons such as theft or fighting are usually treated with indifference by the guards so long as the prisoner follows the rules. Those held for political reasons such as desertion from the military, draft dodging, or belonging to unapproved organizations, as well as those who resist the authority of the guards, often receive extra attention. Reportedly, this includes ridicule, being forced to stand in the sun for hours, or even slaps and beatings. Most abuse reportedly occurs upon entry into the facility and may taper off. Often those singled out for systematic abuse are segregated from the other prisoners or transferred to one of the more notorious prisons.

ARRESTED & RELEASED, BUT NEVER CHARGED & NEVER EVER TRIED

17. (U) Prisoners brought in during mass roundups are often released in stages, according to one Eritrean. Mothers with babies and children are usually released within a day or two. The remaining adults are interrogated and checked for whether they have completed national service. Members of unofficial religious organizations are often made to sign a recantation of their beliefs. Most detainees who have not run afoul of Eritrean law are usually released within a week, but authorities are allowed to hold individuals for up to 28 days pending investigation, without any charges being filed. Prisoners are not informed of the date or time of their release. They are simply removed from the cell, given back their possessions, and escorted out the front door of the jail.

18. (U) Virtually all prisoners arrested in roundups or believed to be political prisoners never receive notification

of charges and never have a trial. While some individuals who are charged with crimes such as theft or assault do face trial, many of them are just held for the period of time equivalent to what a guilty sentence would be and then are released. GSE law enforcement officials do not notify family or friends, and families often spend a significant amount of time trying to track down arrested family members in order to provide assistance to them.

VISITING DETAINED AMERICANS

¶9. (C) During the recent detention of two American citizens (non dual nationals), guards and officers at the jails refused to allow the consular officer access to the detained American citizens and even refused to confirm their detention. Despite repeated attempts, at each refusal prison officials referred Conoff to the Ministry of Foreign Affairs (MFA). At the initial contact by the Embassy with the MFA they claimed to be unaware of the detention of Americans, a claim that is likely true. The National Security officers involved in many of these arrest cases feel no more obligation to inform the MFA than they do to inform Embassies of detained foreign nationals. Over the course of the detention, the Embassy tried to work with the MFA to gain access, however, was repeatedly told only that the MFA was "working on the issue." At least in this most recent case, we believe that the MFA lacked the authority on its own to authorize access in any event and that it was subject to the Office of National Security review.

¶10. (C) Post receives similar responses from the MFA and from prison officials when attempting to visit detained Eritrean-Americans. While the GSE considers them to be Eritrean and does not notify the Embassy, often family members in Eritrea or outside inform post of the incarceration of an American citizen. Presently, post is aware of one detained dual national, an 11 month old boy who is being held with his mother. The Eritrean mother is being held on suspicion of human smuggling, however the GSE has filed no charges nor held a trial. Post was recently able to see the child) without the knowledge or permission of the GSE - when he went to the hospital for medical treatment, but the GSE has not permitted any visitations at the prison. For the past three years, the GSE has neither notified the Embassy of the arrest and detention of any American citizen, nor permitted any visitation.

¶11. (U) COMMENT: With no due process and an ever growing state of fear, Eritrean jails are being used as a means of intimidating the population into complying with the edicts of the GSE. While the conditions in the local jails in Asmara may not match the horrific conditions of the prisons outside of Asmara, the consequences of detention remain. Detained individuals face the loss of employment, families suffer through the absence of a wage earner and friends and family face further persecution for being associated or trying to assist the detained individuals. The lack of transparency and accountability in the GSE legal processes represent a critical aspect of the GSE's human rights abuses. END COMMENT.

DeLisi